



U.S. Department of Justice

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

January 23, 2023

Hon. Jesse M. Furman  
United States District Court  
500 Pearl Street  
New York, NY 10007

**Re: United States v. Chastain, 22 Cr. 305 (JMF)**

Judge Furman:

Trial in the above-captioned case is scheduled to begin Monday, April 24, 2023. The parties respectfully request the Court adopt the following schedule for pretrial disclosures:

**Monday, March 27, 2023:** The Government provides to the Defendant material covered by 18 U.S.C. § 3500 and *Giglio v. United States*, 405 U.S. 150 (1972). The Government also provides notice to the Defendant of evidence it intends to introduce pursuant to Federal Rule of Evidence 404(b).

**Monday, April 10, 2023:** The Government provides to the Defendant a list of exhibits that the Government reasonably expects to seek to introduce during its case-in-chief. This exhibit list will be subject to good-faith revisions as the Government continues to prepare its case for trial, including in response to the defense's list of proposed exhibits that it anticipates seeking to introduce into evidence during the Government's case-in-chief. The Government also provides to the Defendant a list of witnesses whom the Government reasonably expects to call in its case-in-chief.

**Monday, April 17, 2023:** The Defendant provides to the Government a list of exhibits that the Defendant reasonably expects to introduce during the Government's case-in-chief. This exhibit list will be subject to good-faith revision as the defense continues to prepare for its case.

**At least five business days prior to the anticipated start of a defense case:** The Defendant provides to the Government material covered by Rule 26.2 of the Federal Rules of Criminal Procedure.

**At least three business days prior to the anticipated start of a defense case:** The Defendant provides the Government with a list of exhibits that he reasonably expects to seek to introduce during his case. This exhibit list will be subject to good-faith revision as the defense continues to prepare for its case.

Recognizing that 3500 and Rule 26.2 obligations are continuing, the parties also agree that when new material is generated after the pertinent deadlines described above, such material will be timely provided, *i.e.*, generally the same day it is generated, and prior to the witness to whom it applies next taking the stand. The defense has also agreed that, consistent with Rule 26.2(c), if the defense intends to withhold any such material on the grounds of privilege or work product, it will provide that material to the Court for timely review.

Both the Government and the defense anticipate timely agreeing to stipulations to avoid the need to call custodians of records or otherwise to authenticate evidence or the accuracy of transcripts, and the parties agree that the dates set forth herein do not alter the parties' reciprocal discovery obligations or the obligation to produce materials obtained pursuant to Federal Rule of Criminal Procedure 17(c), absent an order to the contrary.

Respectfully,

DAMIAN WILLIAMS  
United States Attorney

by:     /s/                                      
Thomas Burnett/Nicolas Roos  
Assistant United States Attorneys